THE CITY OF BOMBAY (BUILDING WORKS RESTRICTION) ACT, 1949.

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SCHEDULE.

BOMBAY ACT No. XLIV OF 1949.[1]

[THE CITY OF BOMBAY (BUILDING WORKS RESTRICTION) ACT, 1949.]

[*7th November 1949*]

An Act to restrict the construction, alteration and repair of buildings in certain areas in the City of Bombay.

WHEREAS it is expedient to restrict the construction, alteration and repair of buildings in certain areas in the City of Bombay ; It is hereby enacted as follows :—

Short title.

1. This Act may be called the City of Bombay (Building Works Restriction) Act, 1949.

Interpretation.

2. Unless there is anything repugnant in the subject or context, words and expressions used in this Act shall have the same meaning as in the City of Bombay Municipal Act, 1888 (hereinafter called " the principal Act ").

Bom. III of 1888.

Restriction on building works in certain area without permission.

3. No person shall, during the period of two years from the date of the commencement of this Act, do any work of erecting, re-erecting, constructing, reconstructing, adding to, altering or repairing any building, wall or other structure, or any part thereof situated in the area described in the Schedule, or laying out any private street in the said area, except under the authority of a written permission granted by the Commissioner and except in accordance with such conditions, if any, as the Commissioner may think fit to specify in the permission.

Delegation of power.

4. The powers conferred on the Commissioner by section 3 may be exercised, under the Commissioner's control and subject to his revision and to such conditions and limitations, if any, as he shall think fit to prescribe, by any municipal officer or servant whom the Commissioner specially empowers in writing in this behalf.

Penalty.

5. Whoever contravenes the provisions of section 3 shall, on conviction, be punished with imprisonment which may extend to three months or with fine which may extend to one thousand rupees or with both.

Explanation.—If any person who is in occupation, possession, or control of any land or building fails without lawful authority or excuse in respect of such land or building to comply or to secure compliance with the provisions of section 3 or evades or attempts to evade the said provisions he shall be deemed to have contravened the said provisions.

Commissioner may remove unauthorized work.

6. (*1*) The Commissioner may remove or cause to be removed any work done in contravention of section 3.

(*2*) All reasonable expenses incurred by the Commissioner in effecting any removal under sub-section (*1*) shall be recoverable under the prinicipal Act as if such expenses were included in sub-section (*1*) of section 490 of the princpal Act.

Expenses incurred by the Commissioner may be debited to the municipal fund.

7. Not withstanding anything to the contrary contained in the principal Act any expenses incurred by the Commissioner in the execution or intended execution of this Act may be paid out of the municipal fund.

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1949, Part V, page 313.

Written permission to enure for benefit of successors in title.

8. The benefit of any written permission granted under section 3 shall be annexed to and shall go with the ownership of the building, wall, or other structure or private street, as the case may be, in respect of which it was granted, and may be enforced by every person in whom that ownership is for the time being vested, and every condition specified in any such permission shall be binding upon every such person.

Bar of legal proceedings.

9. No suit or other legal proceeding shall be instituted against the Corporation or the Commissioner or any municipal officer or servant in respect of any act in good faith done or intended to be done in pursuance of the provisions of this Act.

SCHEDULE.

Area bounded on the East by the western boundary of the B.B. & C. I. Railway lines from its junction with the northern edge of Elphinstone Bridge up to its junction with Mori Road, on the North by the southern edge of Mori Road up to its junction with the eastern edge of Lady Jamshedji Road ; on the West by the eastern edge of Lady Jamshedji Road and across the road to its junction with the eastern edge of Gokhle Road (North) and then along the eastern edge of Gokhle Road (North) up to its junction with the southern edge of Ranade Road Extension and then across Gokhle Road (North) and along the southern edge of the Ranade Road Extension up to the sea-shore limit, then by the western boundary of the sea-shore up to its junction with the southern edge of the proposed 60 feet Road extended hypothetically up to the sea ; then on the South along the southern edge of the hypothetical extended line of the proposed 60 feet Road, then along the southern edge of the proposed 60 feet Road up to its junction with the eastern edge of Dr. Annie Beasant Road, then along the eastern edge of Dr. Annie Beasant Road up to its junction with the Drainage Channel, then along the Drainage Channel (excluding the Channel) up to its junction with the Elphinstone Road and Tulsi Pipe Line Road, and then along the northern edge of the Elphinstone Road and the Elphinstone Bridge up to its junction with the B.B. & C. I. Railway lines.

THE GUJARAT UNIVERSITY ACT, 1949.

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SCHEDULE.

BOMBAY ACT No. L OF 1949.[1]

[THE GUJARAT UNIVERSITY ACT, 1949.]

[*23rd November 1949.*]

An Act to establish and incorporate a teaching and affiliating University in the Province of Bombay to be known as the Gujarat University.

WHEREAS it is expedient to establish and incorporate a teaching and affiliating University in the Province of Bombay to be known as the Gujarat University as a measure in the decentralization and reorganization of university education in the Province of Bombay; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title and commencement.

1. (*1*) This Act may be called the Gujarat University Act, 1949.

(*2*) This section shall come into force at once.

(*3*) The Provincial Government may, by notification in the *Official Gazette*, direct that all or any of the remaining provisions of this Act, shall come into force on such date or dates as may be specified in the notification.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*1*) "Affiliated" means affiliated under sections 5 and 33;

(*2*) "College" means a degree college or an intermediate college;

(*3*) "Degree College" means an affiliated college which is authorized to submit its students to an examination qualifying for any degree of the University;

(*4*) "High School" means a high school which has been recognized as a full-fledged high school by the Director of Public Instruction, Bombay Province, or by an officer authorized by him in this behalf, or a high school situate outside the Province of Bombay which has been registered by the University;

(*5*) "Hostel" means a unit of residence for students maintained or recognized by the University under this Act;

(*6*) "Intermediate college" means an affiliated college other than a degree college;

(*7*) "Principal" means the head of a college;

(*8*) "Recognized institution" means an institution for research or specialized studies other than an affiliated college and recognized as such by the University;

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1949, Part V, page 652.

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(*9*) " Registered graduate " means a graduate registered under the provisions of this Act ;

(*10*) " Secondary Teachers " means such class of teachers imparting instruction in High Schools as may be declared to be secondary teachers by the Statutes ;

(*11*) " Statutes ", " Ordinances " and " Regulations " mean respectively the Statutes, Ordinances and Regulations of the University made under this Act and for the time being in force ;

(*12*) " Teachers " means professors, readers, lecturers and such other persons imparting instruction in the University, an affiliated college or a recognized institution as may be declared to be teachers by the Statutes ;

(*13*) " Teachers of the University " means teachers appointed or recognized by the University for imparting instruction on its behalf ;

(*14*) " University " means the Gujarat University constituted under this Act ;

(*15*) " University Area " means the areas specified in the Schedule ;

(*16*) " University Department " means any collegiate, post-graduate or research institution or department maintained by the University.

CHAPTER II.

THE UNIVERSITY.

Incorporation of the University.

3. (*1*) The Chancellor, the Vice-Chancellor of the University and the member of the Senate, the Syndicate and the Academic Council of the University and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of " The Gujarat University."

(*2*) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(*3*) The University shall be competent to acquire and hold property, both moveable and immovable, to lease, sell or otherwise transfer any moveable or immovable property which may have become vested in or been acquired by it for the purposes of the University and to contract and to do all other things necessary for the purposes of this Act.

Powers of the University.

4. Subject to such conditions as may be prescribed by or under the provisions of this Act, the University shall have the following powers, namely :—

(*1*) to provide for instruction, teaching and training in such branches of learning and courses of study as it may think fit and to make provision for research and dissemination of knowledge ;

(*2*) to make such provision as would enable affiliated colleges and recognized institutions to undertake specialization of studies ;

(*3*) to organize common laboratories, libraries, museums and other equipment for teaching and research ;

(*4*) to establish, maintain and manage departments and institutes of research or specialized studies ;

(*5*) to institute professorships, readerships, lecturerships and any other posts of teachers required by the University ;

(*6*) to appoint or recognize persons as professors, readers or lecturers or otherwise as teachers of the University ;

(*7*) to lay down the courses of instruction for various examinations ;

(*8*) to guide the teaching in colleges or recognized institutions ;

(*9*) to institute degrees, titles, diplomas and other academic distinctions ;

(*10*) to hold examinations and confer degrees, titles, diplomas and other academic distinctions on persons who—

(*a*) have pursued approved courses of study in the University or in an affiliated college unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Regulations and have passed the examinations prescribed by the University, or

(*b*) have carried on research under conditions prescribed by the Ordinances and Regulations ;

(*11*) to confer honorary degrees, titles or other academic distinctions in the manner laid down by the Statutes ;

(*12*) to grant such diplomas to, and to provide such lectures, instruction and training, for persons not being enrolled students of the University as the University may determine by the Statutes, Ordinances and Regulations ;

(*13*) to admit educational institutions to the privileges of the University and to withdraw such privileges ;

(*14*) to inspect colleges and recognized institutions and to take measures to ensure that proper standards of instruction, teaching or training are maintained in them ;

(*15*) to control and co-ordinate the activities of, and give financial aid to, affiliated colleges and recognized institutions ;

(*16*) to hold and manage endowments and to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes ;

(*17*) to make special provision for the spread of university education among classes and communities which are educationally backward ;

(*18*) to make special provision for disseminating knowledge and promoting arts and culture ;

(*19*) to fix, to demand and to receive such fees and other charges as may be prescribed by the Ordinances ;

(*20*) to establish, maintain and manage hostels ;

(*21*) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom ;

(*22*) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare ;

(*23*) to co-ordinate, supervise and control the conduct of post-graduate research work and teaching in the affiliated colleges and the institutions recognized by the University ;

(*24*) to institute and manage—

(*a*) Publication Department,

(*b*) University Extension Boards,

(*c*) Information Bureaux, and

(*d*) Employment Bureaux ;

(*25*) to make provision—

(*a*) for extra-mural teaching and research,
(*b*) for physical and military training,
(*c*) for students Unions, and
(*d*) for sports and Athletic clubs ;

(*26*) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine ;

(*27*) to promote the development of the study of Gujarati and Hindi in Devnagari script and the use of Gujarati or Hindi in Devnagari script or both as a medium of instruction and examination :

Provided that English may continue to be the medium of instruction and examination in such subjects and for such period not exceeding ten years from the date on which section 3 comes into force as may from time to time be prescribed by the Statutes ; and

(*28*) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University and generally to cultivate and promote arts, science and other branches of learning, and culture.

Jurisdiction and admission to privileges.

5. (*1*) No educational institution situate within the University area shall, save with the sanction of the Provincial Government, be associated in any way with, or seek admission to any privileges of, any other University established by law.

(*2*) Any such privileges enjoyed from such other University before the date on which this section comes into force by any educational institution situate within the University area shall be deemed to be withdrawn with effect from such date.

(*3*) With effect from such date all educational institutions admitted to the privileges of the University of Bombay and situate within the University area shall be deemed to be admitted to the privileges of the University, and the University shall, as far as may be possible and consistent with this Act, admit such institution to all such privileges as they had from the University of Bombay immediately before such date.

(*4*) Any educational institution in the Province of Bombay situate outside the University area or in other territories outside the Province may, subject to such conditions and restrictions as the University and the Provincial Government think fit to impose, be admitted to the privileges of the University.

(*5*) The Provincial Government may, by notification in the *Official Gazette*, direct that this Act shall cease to apply to any area included in the University area and on such date as may be specified in the notification ; and on and from the said date all the educational institutions situate within the said area shall cease to be associated with and to enjoy the privileges of the University.

University open to all irrespective of sex, religion, class, creed or opinion

6. (*1*) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma, title or other academic distinction or course or study on the sole ground of sex, race, creed, class, religious belief or political or other opinion :

Provided that the University may, subject to the previous sanction of the Provincial Government, maintain, affiliate or recognize any institution exclusively for women or reserve for women or members of classes and communities which are educationally backward places for the purposes of admission as students in any institution maintained by the University.

(*2*) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, class, religious belief or profession of political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma title or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

Inspection and inquiry.

7. (*1*) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel maintained, recognized by, or affiliated to, the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University; and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(*2*) The Chancellor shall communicate to the Syndicate and to the Senate his views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Syndicate and the Senate thereon, advise the University on the action to be taken.

(*3*) The Syndicate shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of the inspection or inquiry. Such report shall be submitted with the opinion of the Senate thereon and within such time as the Chancellor may direct.

(*4*) Where the Syndicate does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate shall comply with such directions.

(*5*) The Provincial Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner described in sub-sections (*1*) to (*3*) and shall have, for the purposes of such inspection or inquiry, all the powers of the Chancellor under the said sub-sections.

CHAPTER III.

Officers of the University.

Officers of the University.

8. The following shall be the officers of the University, namely :—

(*i*) The Chancellor,

(*ii*) The Vice-Chancellor,

(*iii*) The Rector, if any,

(*iv*) The Deans of Faculties,

(*v*) The Registrar, and

(*vi*) Such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

The Chancellor.

9. (*1*) The Governor of Bombay for the time being shall be the Chancellor of the University.

(*2*) The Chancellor shall, by virtue of his office, be the head of the University and the president of the Senate and shall, when present, preside at meetings of the Senate and at any convocation of the University.

(*3*) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes.

The Vice-Chancellor.

10. (*1*) The Vice-Chancellor shall be nominated by the Chancellor from amongst four persons recommended by a majority of the members of the Senate present at the meeting. Such recommendation shall be made according to the distributive system of voting.

(*2*) The Vice-Chancellor shall hold office for a term of three years.

(*3*) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Syndicate shall, as soon as possible subject to the approval of the Chancellor, make such arrangements for carrying on the duties of the office of the Vice-Chancellor as it may think fit. Until such arrangements are made, the Dean nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor..

(*4*) The Vice-Chancellor shall be an honorary officer, but the Senate may, by Statutes, make the office of the Vice-Chancellor a wholetime salaried office; the Senate may also determine the emoluments to be paid for such office, whether honorary or salaried, and prescribe the conditions subject to which such office shall be held.

Powers of the Vice-Chancellor.

11. (*1*) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Senate and any convocation of the University. He shall be an *ex-officio* member and the Chairman of the Syndicate and of the Academic Council. He shall be entitled to be present, with the right to speak, at any meeting of any other authority or body of the University, but shall not be entitled to vote thereat unless he is a member of that authority or body.

(*2*) The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate and the Academic Council. He may delegate this power to any other officer of the University.

(*3*) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes, Ordinances and Regulations are faithfully observed and he shall have all powers necessary for this purpose.

(*4*) (*a*) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in the ordinary course dealt with the matter.

(*b*) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University such person shall be entitled to

prefer an appeal through the said officer, authority or body to the Syndicate within fifteen days from the date on which such action is communicated to him.

(*5*) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, dismissal, suspension and punishment of the persons in the service of the University or teachers of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control over the affairs of the University. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and Ordinances.

(*6*) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

The Rector.

12. (*1*) The Rector shall be a whole-time salaried Officer. He shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor; and his emoluments and conditions of service shall be determined by the Statutes.

(*2*) The powers conferred on the Vice-Chancellor by or under this Act shall, subject to the control of the Vice-Chancellor, also be exercisable, so far as may be, by the Rector.

The Registrar.

13. The Registrar shall be a wholetime salaried officer and shall act as the Secretary of the Senate, of the Syndicate and of the Academic Council. He shall be appointed by the Syndicate in accordance with the Statutes to be framed in this behalf, and his emoluments and conditions of service shall be determined by such Statutes. He shall exercise such powers and perform such duties as may be prescribed by the Statutes, Ordinances and Regulations.

Other officers.

14. The powers and duties of the officers of the University referred to in clause (*vi*) of section 8 shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

CHAPTER IV.

AUTHORITIES OF THE UNIVERSITY.

Authorities of the University.

15. The following shall be the authorities of the University, namely :—

(*i*) The Senate,
(*ii*) The Syndicate,
(*iii*) The Academic Council,
(*iv*) The Faculties,
(*v*) The Board of University Teaching,
(*vi*) The Boards of Studies, and
(*vii*) Such other bodies of the University as may be declared by the Statutes to be the authorities of the University.

The Senate.

16. (*1*) The Senate shall consist of the following members, namely :—

Class I—Ex-officio members.

(*A*) (*i*) The Chancellor,
(*ii*) The Vice-Chancellor,
(*iii*) Ex-Vice-Chancellors of the University residing in the Province,

(*iv*) The Rector, if any,

(*v*) The Registrar.

(*B*) (*i*) The Chief Justice of Bombay, or any other Judge of the High Court nominated by him,

(*ii*) The Minister of Education, Bombay, or an officer of Government nominated in this behalf by the Minister,

(*iii*) Vice-Chancellors of other Universities established by law in the Province of Bombay,

(*iv*) The Director of Public Instruction, Bombay Province, or Joint or a Deputy Director of Public Instruction designated by the Provincial Government,

(*v*) The Joint Director of Technical Education,

(*vi*) The Surgeon General with the Government of Bombay,

(*vii*) A Director of Agriculture designated by the Provincial Government,

(*viii*) The Director of Industries, Bombay,

(*ix*) A Chief Engineer with the Government of Bombay designated by the Provincial Government,

(*x*) A Conservator of Forests designated by the Provincial Government,

(*xi*) Such other *ex-officio* members not exceeding five as may be designated by the Statutes.

(*C*)(*i*) Heads of University Departments,

(*ii*) Principals of affiliated colleges,

(*iii*) Heads of recognized institutions.

Class II—Ordinary members.

(*A*) Elected as specified below :—

(*i*) four members by secondary teachers of high schools excluding the head masters thereof from amongst such teachers in the manner specified by the Statutes ;

(*ii*) two members by head masters of high schools from amongst such head masters in the manner specified by the Statutes ;

(*iii*) such number of members as is specified below against each Faculty, by teachers including Principals, Heads of University Departments and Heads of recognized institutions in the subject or subjects comprised in each of the following Faculties, namely :—

(*a*) Arts including Education	...	...	...	six,
(*b*) Science	...	...	...	six,
(*c*) Technology including Engineering		...	...	four,
(*d*) Agriculture	...	...	...	two,
(*e*) Law	...	...	...	two,
(*f*) Medicine	...	...	...	four,
(*g*) Commerce	...	...	...	two,
(*h*) Each such additional Faculty as may be prescribed by the Statutes	...	...	...	two ;

(*iv*) by public associations or bodies as under :—

(*a*) two members by Municipal School Boards of authorised Municipalities within the University Area from amongst the members of such Municipal School Boards ;

(*b*) two members by District School Boards within the University Area from amongst the members of such District School Boards ;

(*c*) four members by the Bombay Legislative Assembly from amongst its members ;

(*d*) one member by the Bombay Legislative Council from amongst its members ;

(*e*) one member by the Ahmedabad Millowners' Association from amongst its members ;

(*f*) one member by registered trade Unions in the University Area designated by the Statutes, from amongst their members ;

(*g*) the following number of members, who shall not be persons who are teachers or secondary teachers of High Schools or Head-masters of High Schools, by registered graduates in the manner specified below :—

(*1*) four by registered Graduates in Arts including Education ;

(*2*) two by registered Graduates in Science ;

(*3*) two by registered Graduates in Technology including Engineering ;

(*4*) two by registered Graduates in Agriculture ;

(*5*) two by registered Graduates in Law ;

(*6*) two by registered Graduates in Medicine ;

(*7*) two by registered Graduates in Commerce ;

(*8*) two by registered Graduates in each of such other additional Faculties as may be prescribed by the Statutes ;

(*9*) two by registered Graduates in subjects not comprised in any of the Faculties provided by or under section 23 :

Provided that—

(*i*) every person elected under clauses (*i*) to (*iii*) and under sub-clauses (*a*) to (*f*) of clause (*iv*) shall continue to hold the office of a member of the Senate only so long as he is a secondary teacher or headmaster of a high school or a teacher or a member of the electing body or bodies, as the case may be ;

(*ii*) for the purpose of the election of ordinary members a person entitled to stand as a candidate or to vote in more than one constituency mentioned in clause (*iii*) and in sub-clause (*g*) of clause (*iv*) shall, before such date as may be appointed by the Statute, elect the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand or vote in more than one constituency.

(*B*) Fifteen members to be nominated by the Chancellor including distinguished educationists, social workers and representatives of backward communities.

(*C*) Five members to be elected in the manner specified below from amongst themselves by donors each donating money or property of the value of not less than one lakh of rupees—

(*a*) to, or for the purposes of, the University ; or

(*b*) to, or for the purposes of, a college or institution affiliated to or recognized by the University—

(*i*) If the donor is an individual, for the purpose of voting, the name of each such donor shall be enrolled on the register maintained by the University ;

(*ii*) If the donor is an undivided Hindu family, trust, firm, company, or body corporate, for the purpose of voting, the name of the representative nominated from time to time by each such undivided Hindu family, trust, firm, company or body corporate shall be enrolled on the register maintained by the University ;

(*iii*) Where sub-clause (*iv*) does not apply, the persons whose names are enrolled on the register under sub-clauses (*i*) and (*ii*) shall elect five members to the Senate ;

(*iv*) If the number of names enrolled under sub-clauses (*i*) and (*ii*) is five or less than five, each person whose name is so enrolled shall be deemed to have been elected :

Provided that the right of electing members on the Senate shall not extend beyond the period of twenty years from the date of the acceptance of such donation by the college, institution or Syndicate, as the case may be.

Explanation.—For the purposes of paragraph (*C*) the value of the property means the market value of the property at the date of acceptance of the donation by the college, institution or Syndicate, as the case may be.

(2) The term of office of the elected members and of the members referred to in paragraph (*B*) in Class II shall be five years.

Meetings of the Senate.

17. (*1*) The Senate shall, on a date to be fixed by the Chancellor, meet once a year at a meeting to be called the annual meeting of the Senate.

(*2*) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than twenty-five members of the Senate, convene a special meeting of the Senate.

Powers and duties of the Senate.

18. (*1*) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Senate shall exercise the following powers and perform the following duties, namely :—

(*i*) to make provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit, for research and for the advancement and dissemination of knowledge;

(*ii*) to make such provision as will enable affiliated colleges and recognized institutions to undertake specialization of studies;

(*iii*) to organize and make provision for common laboratories, libraries, museums and other equipment for teaching and research;

(*iv*) to establish and maintain departments and institutes of research and specialized studies;

(*v*) to institute professorships, readerships, lecturerships and any other post of teachers required by the University;

(*vi*) to institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(*vii*) to institute and confer degrees, titles, diplomas and other academic distinctions;

(*viii*) to confer, on the recommendation of the Syndicate, honorary degrees, titles or other academic distinctions;

(*ix*) to make, amend or repeal the Statutes;

(*x*) to consider, cancel, refer back but not amend Ordinances;

(*xi*) to consider and pass resolutions on the annual reports, annual accounts and financial estimates;

(*xii*) to consider the annual financial estimates prepared by the Syndicate and pass resolutions with reference thereto;

(*xiii*) to elect office-bearers and authorities as provided in the Act and the Statutes;

(*xiv*) to make provision relating to the use of Gujarati or Hindi in Devnagari script or both as a medium of instruction and examination;

(*xv*) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes, Ordinances and Regulations.

(*2*) The powers and duties under clauses (*i*) to (*viii*) of sub-section (*1*) shall not be exercised except upon the recommendations made by the Syndicate and the Academic Council.

Syndicate.

19. (*1*) The Syndicate shall be the executive authority of the University and shall consist of the following, namely :—

(*i*) The Vice-Chancellor—*ex-officio* Chairman ;

(*ii*) The Rector, if any ;

(*iii*) The Director of Public Instruction, Bombay Province, or the Joint or Deputy Director of Public Instruction who is a member of the Senate ;

(*iv*) one Dean elected by Deans of Faculties from amongst themselves ;

(*v*) eight persons elected by the Senate from amongst its members, who are not Principals, Teachers or Secondary Teachers ;

(*vi*) one member elected by the Heads of University Departments from amongst themselves ;

(*vii*) five Principals elected by the Principals in such manner as may be specified by the Statutes :

Provided that a member elected under clauses (*iv*) to (*vii*) shall cease to hold office as such member if he ceases to be a member of the Senate, or a Dean or a Head of University Department or a Principal, as the case may be.

(*2*) The term of office of the elected members of the Syndicate shall be three years.

Powers and duties of the Syndicate.

20. (*1*) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Syndicate shall exercise the following powers and perform the following duties, namely :—

(*i*) to hold, control and administer the property and funds of the University ;

(*ii*) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by the Act and the Statutes ;

(*iii*) to determine the form, provide for the custody and regulate the use, of the common seal of the University ;

(*iv*) to administer funds placed at the disposal of the University for specific purposes ;

(*v*) to frame the annual financial estimates of the University and to submit them to the Senate ;

(*vi*) to make provision for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University ;

(*vii*) to accept on behalf of the University bequests, donations and transfers of any moveable or immovable property to the University ;

(*viii*) to transfer any moveable or immovable property on behalf of the University ;

(*ix*) to manage and regulate the finances, accounts and investments of the University ;

(*x*) to institute and manage—

(*a*) Publication Department,

(*b*) University Extension Boards,

(*c*) Information Bureaux, and

(*d*) Employment Bureaux ;

(*xi*) to make provision—

(*a*) for extra-mural teaching and research,

(*b*) for physical and military training ;

(*xii*) to manage departments, institutes of research or specialized studies, laboratories, libraries, museums and hostels maintained by the University ;

(*xiii*) to recognize hostels and to provide housing accommodation for University teachers and other employees ;

(*xiv*) to register high schools situate outside the Province of Bombay, as may be provided by the Statutes ;

(*xv*) to arrange for and direct the inspection of affiliated colleges, recognized institutions and hostels, to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and in case of disregard of such instructions, to recommend modification of the conditions of their affiliation or recognition or take such other steps as it deems proper ;

(*xvi*) to call for reports, returns and other information from colleges, recognized institutions or hostels ;

(*xvii*) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare ;

(*xviii*) to recommend to the Senate the conferment of honorary degrees, titles and academic distinctions in the manner prescribed by the Statutes ;

(*xix*) to award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes ;

(*xx*) to appoint teachers and servants of the University, fix their emoluments, if any, and define their duties and the conditions of their service and discipline;

(*xxi*) to recognize a member of the staff of an affiliated college or recognized institution as a professor, reader, lecturer or teacher of the University and withdraw such recognition ;

(*xxii*) to appoint examiners, to fix their remuneration and to arrange for the conduct of, and for publishing the results of, the University examinations and other tests ;

(*xxiii*) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances ;

(*xxiv*) to make, amend and cancel the Ordinances ;

(*xxv*) to accept, reject or refer back Regulations framed by the Academic Council ;

(*xxvi*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations;

(*xxvii*) to exercise all powers of the University not otherwise provided for in the Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes.

(*2*) The Syndicate shall make a report to the Senate about all acceptances or transfers of property referred to in clause (*vii*) of sub-section (*1*).

(*3*) The Syndicate shall not transfer any immovable property without the previous sanction of the Senate.

(*4*) The Syndicate may by Ordinances appoint Committees to carry out its administrative work and define their constitution, functions and tenure.

Academic Council.

21. (*1*) The Academic Council shall be the academic body of the University and shall consist of the following persons, namely :—

Class I—Ex-officio members.

(*i*) The Vice-Chancellor—*ex-officio* Chairman,
(*ii*) The Rector, if any,
(*iii*) The Registrar,
(*iv*) Deans of Faculties,
(*v*) Heads of University Departments,
(*vi*) Chairmen of the Boards of Studies.

Class II—Other members.

(*i*) Three representatives of Principals of Colleges elected by them from amongst themselves,

(*ii*) three representatives of Heads of recognized institutions elected by them from amongst themselves :

Provided that a member elected under clause (*i*) or (*ii*) shall cease to hold office as such member if he ceases to be a Principal of a college or a Head of a recognized institution, as the case may be.

(*2*) The term of office of the members of the Academic Council other than *ex-officio* members shall be three years.

Powers and duties of the Academic Council.

22. (*1*) The Academic Council shall have the control and general regulation of, and be responsible for, the maintenance of the standards of teaching and examinations with the University.

(*2*) Without prejudice to the generality of the foregoing provision and subject to such conditions as may be prescribed by or under the provisions of this Act, the Academic Council shall exercise the following powers and perform the following duties, namely :—

(*i*) to make Regulations in consultation with the Boards of Studies concerned laying down courses of study ;

(*ii*) to make Regulations regarding the special courses of study ;

(*iii*) to arrange for co-ordination of studies and teaching in affiliated colleges and in recognized institutions ;

(*iv*) to promote research within the University ;

(*v*) to make proposals for allocating subjects to the Faculties ;

(*vi*) to make proposals for the establishment of departments, institutes of research and specialized studies, libraries, laboratories and museums ;

(*vii*) to make proposals for the institution of professorships, readerships, lecturerships and any other posts of teachers required by the University and for prescribing the duties and fixing the emoluments of such posts ;

(*viii*) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes and to make Regulations for their award ;

(*ix*) to make Regulations regarding the examinations of the University and the conditions on which students shall be admitted to such examinations ;

(*x*) to make Regulations prescribing equivalence of examinations ;

(*xi*) to make Regulations prescribing the manner for granting exemptions from approved courses of studies in the University or in affiliated colleges for qualifying for degrees, titles, diplomas and other academic distinctions ;

(*xii*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations ; and

(*xiii*) generally to advise the University on all academic matters.

Faculties and their functions.

23. (*1*) The University shall include the Faculties of Arts including Education, Science, Technology including Engineering, Agriculture, Law, Medicine and Commerce and such other Faculties as may be prescribed by the Statutes. Each Faculty shall comprise such subjects as may be prescribed by the Statutes.

(*2*) Each Faculty shall consist of—

Ex-officio.

(*i*) Registered Graduates elected on the Senate by the respective Faculties constituencies ;

(*ii*) Teachers, including Principals, Heads of University Departments and Heads of recognized institutions elected on the Senate under clause (*iii*) in paragraph (*A*) in Class II of section 16 by the respective Faculties' constituencies ;

(*iii*) Principals, Heads of University Departments and Heads of recognized institutions teaching the subject or subjects comprised in the respective Faculties.

Ordinary.

(*i*) Such members as are assigned by the Senate from amongst such of its members as have been elected on the Senate by secondary teachers ;

(*ii*) Two members to be elected in such manner as may be prescribed by the Statutes, by teachers, other than members of the Senate, in the subject or subjects comprised in the respective Faculties :

Provided that the person to be elected shall be a teacher for a continuous period of five years immediately preceding such date as may be prescribed by the Statutes :

Provided further that for the purpose of the election of ordinary members a person entitled to stand as a candidate or to vote in more than one Faculty constituency shall, before such date as may be appointed by the Statute, elect the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand or vote in more than one such constituency.

(*3*) The powers and duties of the Faculties and the conditions governing the terms of offices of their members shall be as prescribed by the Statutes.

Deans of Faculties.

24. (*1*) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst its members who are members of the Senate. The term of office of a Dean shall be such as may be determined by the Statutes.

(*2*) The Dean of each Faculty shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to that Faculty.

Boards of Studies.

25. (*1*) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes.

(*2*) Each Board shall consist of—

(*i*) such members of the Faculty under which the Board is constituted as have elected to be members of the Board. The election once made shall not be changed during the term of the office of the member ;

(*ii*) persons to be co-opted by the Board, not exceeding one third of the number of the *ex-officio* members of the Board.

(*3*) The Chairman shall be elected by the members from amongst the *ex-officio* members.

(*4*) The term of office of *ex-officio* or co-opted members shall be five years.

(*5*) The other powers and duties of the Boards of Studies shall be as prescribed by the Statutes.

University Boards.

26. (*1*) The University shall establish a Board of Extra-Mural Studies, a Board for Students' Welfare and such other Boards as may be prescribed by the Statutes.

(*2*) The constitution, powers and duties of the Boards established under sub-section (*1*) shall be as prescribed by the Ordinances.

Other authorities.

27. The constitution, powers and duties of such other bodies as may be declared by the Statutes to be authorities of the University shall be as prescribed by the Statutes.

CHAPTER V.

STATUTES, ORDINANCES AND REGULATIONS.

Statutes.

28. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Statutes may provide for all or any of the following matters, namely :—

(*i*) conferment of honorary degrees ;

(*ii*) holding of convocations to confer degrees ;

(*iii*) powers and duties of the officers of the University ;

(*iv*) constitution, powers and duties of the authorities of the University save as provided in this Act ;

(*v*) institution and maintenance by the University of departments, institutes of research or specialized studies and hostels ;

(*vi*) acceptance and management of bequests, donations and endowments ;

(*vii*) registration of graduates and maintenance of a register of registered graduates ;

(*viii*) procedure at meetings of the authorities of the University and for the transaction of their business ;

(*ix*) qualifications of professors, readers, lecturers and teachers in affiliated colleges and recognized institutions ;

(*x*) all matters which by this Act are to be or may be prescribed by the Statutes.

Statutes, their making, amendment, repeal and operation.

29. (*1*) The Statutes may be made by the Senate or may be amended, repealed or added to by Statutes made by the Senate in the manner hereinafter provided.

(*2*) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate.

(*3*) The Syndicate may propose to the Senate draft of any Statute to be passed by the Senate.

(*4*) Such draft shall be considered by the Senate at its next succeeding meeting. The Senate may approve such draft and pass the Statute or may reject it or return it to the Syndicate for reconsideration either in whole or in part together with any

amendments which the Senate may suggest. After any draft so returned has been further considered by the Syndicate together with any amendments suggested by the Senate, it shall be again presented to the Senate with the report of the Syndicate thereon and the Senate may then deal with the draft in any manner it thinks fit.

(*5*) Where a Statute affects the powers or duties of any officer, authority or Board of the University—

(*i*) the Syndicate shall, before proposing the draft of such Statute, ascertain and consider the views of the officer, authority or Board concerned; and

(*ii*) the Senate, before passing any such Statute taken into consideration of its own motion, shall ascertain and consider the views of the officer, authority or Board concerned and the opinion of the Syndicate.

(*6*) Every Statute passed by the Senate shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the Senate for consideration.

(*7*) No Statute passed by the Senate shall have validity until assented to by the Chancellor.

Ordinances.

30. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Syndicate may make Ordinances to provide for all or any of the following matters :—

(*i*) conditions under which students shall be admitted to courses of studies for degrees, titles, diplomas and other academic distinctions;

(*ii*) conditions of residence, conduct and discipline of students of the University;

(*iii*) conditions governing the appointment and the duties of examiners;

(*iv*) conduct of examinations;

(*v*) recognition of hostels;

(*vi*) recognition of teachers of the University;

(*vii*) inspection of affiliated colleges, recognized institutions and hostels;

(*viii*) mode of execution of contracts or agreements for, or on behalf of, the University;

(*ix*) rules to be observed and enforced by colleges and recognized institutions in respect of transfer of students;

(*x*) all matters which by this Act or the Statutes are to be or may be provided for by the Ordinances; and

(*xi*) generally all matters for which provision is, in the opinion of the Syndicate, necessary for the exercise of the powers conferred or the performance of the duties imposed upon the Syndicate by this Act or the Statutes.

Making of Ordinances.

31. (*1*) Ordinances shall be made by the Syndicate :

Provided that no Ordinance concerning the matters referred to in clauses (*i*), (*iii*), (*iv*) and (*vi*) of section 30 or any other matter connected with the maintenance of the standards of teaching and examinations within the University shall be made unless a draft of the same has been proposed by the Academic Council.

(*2*) The Syndicate shall not have power to amend any draft proposed by the Academic Council under sub-section (*1*) but may reject it or return it to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Syndicate may suggest.

(*3*) All Ordinances made by the Syndicate shall, except as provided by this Act, have effect from such date as it may direct but every Ordinance so made shall be laid before the Senate and shall be considered by the Senate at its next succeeding meeting.

(*4*) The Senate shall have power by a resolution to cancel or to refer back but not to amend any such Ordinance. The resolution cancelling any such Ordinance shall be passed by a majority of not less than two-thirds of the members present at such meeting, the majority comprising not less than one-half of the members of the Senate.

(*5*) The Vice-Chancellor shall, on the application of not less than forty members of the Senate, suspend the operation of any such Ordinance until the Senate has considered it as provided in sub-section (*3*).

Regulations and Rules.

32. (*1*) The Academic Council may, subject to the approval of the Syndicate, make regulations, consistent with this Act, the Statutes and the Ordinances providing for all matters which by this Act, the Statutes or the Ordinances are to be provided for by Regulations and for all other matters solely concerning itself.

(*2*) Any authority of the University specified in clauses (*iv*) to (*vii*) of section 15 and any other Board of the University may, subject to the approval of the Syndicate, make rules, consistent with this Act, the Statutes, Ordinances and Regulations, providing for all matters solely concerning such authority or Board.

CHAPTER VI.

Affiliation and Recognition.

Affiliation.

33. (*1*) A college applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Syndicate and the Academic Council—

(*a*) that the college will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is to be established;

(*b*) that the college is to be under the management of a regularly constituted governing body;

(*c*) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;

(*d*) that the buildings in which the college is to be located are suitable, and that provision will be made, in conformity with the Ordinances, for the residence in the college or in lodgings approved by the college, of students not residing with their parents or guardians, and for the supervision and welfare of students;

(*e*) that due provision has been made or will be made for a library;

(*f*) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in that branch of science in a properly equipped laboratory or museum;

(*g*) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the College or the place provided for the residence of students;

(*h*) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

(*i*) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interests of education.

The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled shall be forthwith reported to the Syndicate.

(*2*) On receipt of a letter of application under sub-section (*1*) the Syndicate shall—

(*a*) direct a local inquiry to be made by a competent person or persons authorised by the Syndicate in this behalf in respect of the matters referred to in sub-section (*1*) and such other matters as may be deemed necessary and relevant;

(*b*) make such further inquiry as may appear to it to be necessary;

(*c*) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the results of any inquiry under clauses (*a*) and (*b*), and (*d*) report to the Senate on the question whether the application should be granted or refused, either in whole or in part, embodying in such report the results of any inquiry under clauses (*a*) and (*b*) and the opinion recorded under clause (*c*).

(*3*) The Registrar shall submit the application and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto to the Provincial Government which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.

(*4*) Where the application or any part thereof is granted, the order of the Provincial Government shall specify the courses of instruction in respect of which the college is affiliated, and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(*5*) As soon as possible after the Provincial Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-sections (*2*) to (*4*) and of all proceedings connected therewith.

(*6*) An application under sub-section (*1*) may be withdrawn at any time before an order is made under sub-section (*3*).

Extension of affiliation.

34. Where a college desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by section 33 shall, so far as may be, be followed.

Recognition of institutions of research and specialized studies.

35. (*1*) The Syndicate shall have the power, after consultation with the Academic Council, to recognize as a recognized institution any institution of research or specialized studies other than a college.

(*2*) An institution applying for recognition under this section shall send a letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely:—

(*a*) constitution and personnel of the managing body;

(*b*) subjects and courses in regard to which recognition is sought;

(*c*) accommodation, epuipment and the number of students for whom provision has been or is proposed to be made;

(*d*) the strength of the staff, their qualifications and salaries and the research work done by them;

(*e*) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(*3*) Before taking the application into consideration the Syndicate may call for any further information which it may deem necessary.

(*4*) If the Syndicate decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorized by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Syndicate shall, after consultation with the Academic Council, report to the Senate on the question whether the application should be granted or refused, either in whole or in part, embodying in such report the results of any inquiry made by it. The Senate after taking into consideration the report of the Syndicate may grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Senate shall specify the subjects and the courses of instruction in respect of which the institution is recognized and make a report to that effect to the Academic Council and the Syndicate at their next succeeding meeting. Where the application or any part thereof is refused the grounds of such refusal shall be stated.

Inspection of colleges and reports.

36. (*1*) Every affiliated college and recognized institution shall furnish such reports, returns and other information as the Syndicate after consulting the Academic Council may require to enable it to judge of the efficiency of the college or institution.

(*2*) The Syndicate shall cause every such college or institution to be inspected from time to time by one or more competent persons authorized by the Syndicate in this behalf.

(*3*) The Syndicate may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (*1*) of section 33 and sub-section (*2*) of section 35.

Withdrawal of affiliation.

37. (*1*) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (*1*) of section 33 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(*2*) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(*3*) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (*2*) to the Principal of the college concerned, together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Syndicate:

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Syndicate after considering the notice of motion, statement

and representation, and after such inspection by any competent person or persons authorised by the Syndicate in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council shall make a report to the Senate.

(*5*) On receipt of the report under sub-section (*4*) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter :

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

(*6*) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto, to the Provincial Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit.

(*7*) Where by an order made under sub-section (*6*), the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

Withdrawal of recognition.

38. (*1*) The rights conferred on an institution by recognition may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution is conducted in a manner which is prejudicial to the interest of education.

(*2*) A motion for such withdrawal or suspension shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(*3*) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (*2*) to the head of the institution concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be considered by the Syndicate :

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Syndicate after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the Syndicate in this behalf, and after such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall make a report to the Senate if the Syndicate decides that the recognition should be withdrawn or suspended. No such report for withdrawal or suspension shall be made unless a resolution to that effect is supported by at least two-thirds of the members present at the meeting of the Syndicate.

(*5*) On receipt of the report under sub-section (*4*) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary decide whether the recognition should be withdrawn or suspended, as the case may be :

Provided that the recognition shall not be withdrawn or suspended unless a resolution of the Senate to that effect is supported by a majority of at least two thirds of the members present at the meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

CHAPTER VII.

ORGANIZATION WITHIN THE AHMEDABAD AREA AND FOR POST-GRADUATE TEACHING.

Post-graduate teaching.

39. (*1*) Within the University Area all post-graduate instruction, teaching and training shall be conducted by the University or by such affiliated colleges or institutions and in such subjects as may be prescribed by the Statutes.

(*2*) For the purpose of organizing and co-ordinating the post-graduate instruction, teaching and training in the University area, there shall be constituted a Board to be known as the Board of University Teaching. The constitution, powers and duties of the Board shall be as prescribed by the Statutes.

Teaching within Ahmedabad Area.

40. (*1*) Within a period of three years from the date on which section 3 comes into force the Senate shall determine that all instructions, teaching and training beyond the stage of Intermediate examinations shall, within the area of the City of Ahmedabad and such other contiguous area as the Senate may determine (hereinafter referred to as the Ahmedabad Area), be conducted by the University and shall be imparted by the teachers of the University. The Senate shall communicate its decision to the Provincial Government.

(*2*) On receipt of the communication under sub-section (*1*), the Provincial Government may, after making such inquiry as it thinks fit, by notification in the *Official Gazette* declare that the provisions of the remaining sections of this Chapter shall come into force on such date as may be specified in the notification.

Explanation.—For the purposes of this section the City of Ahmedabad shall mean the area within the limits of the Ahmedabad Borough Municipality and after the passing of the Bombay Provincial Corporations Act, 1949, the limits of the Ahmedabad City as constituted under section 3 of the said Act.

Bom LIX of 1949.

Constituent Colleges and Institutions.

41. (*1*) All colleges within the Ahmedabad Area which are admitted to the privileges of the University under sub-section (*3*) of section 5 and all colleges within the said area which may hereafter be affiliated to the University shall be the constituent colleges of the University.

(*2*) All institutions within the Ahmedabad Area recognized under sections 35 and 63 shall be the constituent institutions of the University.

(*3*) No educational institution situate within the Ahmedabad Area shall, save with the consent of the University and the sanction of the Provincial Government, be associated in any way with, or seek admission to any privileges of, any other University established by law.

(*4*) The relations of the constituent colleges and constituent recognized institutions within the Ahmedabad Area shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the constituent degree colleges and constituent recognized institutions :—

(*i*) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and institutions and the conditions of their service ;

(*ii*) to approve the appointments of the teachers made by such colleges and institutions ;

(*iii*) to require each such college and institution to contribute a prescribed quota of recognized teachers in any subject for teaching on behalf of the University ;

(*iv*) to co-ordinate and regulate the facilities provided and expenditure incurred by such colleges and institutions in regard to libraries, laboratories and other equipments for teaching and research ;

(*v*) to require such colleges and institutions, when necessary, to confine the enrolment of students to certain subjects ;

(*vi*) to levy contributions from such colleges and institutions and make grants to them ; and

(*vii*) to require satisfactory arrangements for tutorial and similar other work in such colleges and institutions and to inspect such arrangements from time to time :

Provided that a constituent degree college or a constituent recognized institution shall supplement such teaching by tutorial or other instruction, teaching or training in a manner to be prescribed by the Regulations to be made by the Academic Council.

(*5*) Subject to the provisions of the Statutes, the Board of University Teaching shall organize and co-ordinate the instruction, teaching and training within the Ahmedabad Area.

CHAPTER VIII.

ENROLMENT AND DEGREES.

Qualification for enrolment of students of the University.

42. No student shall be enrolled as a student of the University unless he has passed—

(*i*) the Secondary School Certificate Examination conducted by the Secondary School Certificate Examination Board in such subjects and with such standards of attainment as may be prescribed by the Statutes, or

(*ii*) the Entrance Examination, if any, which may be instituted by the University with the consent of the Provincial Government, and held in such subjects and in such manner as may be prescribed by the Statutes, or

(*iii*) any other examination prescribed as equivalent to the examinations referred to in clauses (*i*) and (*ii*),

and possesses such further qualification, if any, as may be prescribed by the Statutes.

Residence of students.

43. Every student of the University shall reside in a hostel or under such conditions as may be prescribed by the Ordinances.

Degrees, titles, diplomas and other academic distinctions.

44. The Senate may institute and confer such degrees, titles, diplomas and other academic distinctions as may be prescribed by the Statutes.

Honorary degree.

45. If not less than two-thirds of the members of the Syndicate recommend that an honorary degree, title or other academic distinction be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such degree, title or other academic distinction and where their recommendation is supported by a majority of not less than two-thirds of the members of the Senate present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate, and the recommendation is confirmed by the Chancellor, the Senate may confer on such person the honorary degree, title or other academic distinction so recommended without requiring him to undergo any examination.

Removal from membership of University and withdrawal of degree or diploma.

46. (*1*) The Chancellor may, on the recommendation of the Syndicate and of the Senate supported by a majority of not less than two-thirds of the members of each body present at its meeting, such majority comprising not less than one-half of the members of each body, remove the name of any person from the register of graduates or withdraw from any person a diploma or degree if he has been convicted by a Court of Law of any offence which, in the opinion of the Syndicate and the Senate, is a serious offence involving moral turpitude or if he has been guilty of scandalous conduct.

(*2*) No action under this section shall be taken unless the person concerned is given an opportunity to be heard in his defence in the manner prescribed by the Statutes.

CHAPTER IX.

COMMITTEES.

Committees. **47.** All the authorities of the University shall have power to appoint committees. Such committees may include persons who are not members of the authority appointing the committee.

CHAPTER X.

FINANCE.

University Fund. **48.** (*1*) The University shall establish a fund to be called the University Fund.

(*2*) The following shall form part of, or be paid into, the University Fund :—

(*a*) any contribution or grant by the Provincial Government,

(*b*) the income of the University from all sources including income from fees and charges,

(*c*) bequests, donations, endowments and other grants, if any.

II of 1934. II of 1882. (*3*) The University Fund shall be kept in any scheduled bank as defined in the Reserve Bank of India Act, 1934, or invested in securities authorized by the Indian Trusts Act, 1882, at the discretion of the Syndicate.

Annual accounts and financial estimates. **49.** (*1*) The annual accounts of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Provincial Government for audit.

(*2*) The accounts when audited shall be published by the Syndicate in the *Official Gazette* and copies thereof shall, together with the copies of the Audit Report, be submitted to the Senate and to the Provincial Government.

(*3*) The Syndicate shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

(*4*) The annual accounts and the financial estimates shall be considered by the Senate at its annual meeting and the Senate may pass resolution with reference thereto and communicate the same to the Syndicate which shall take them into consideration and take such action thereon as it thinks fit, and finally adopt the accounts and financial estimates. The Syndicate shall inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action.

Annual Report. **50.** The Annual Report of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at the annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate which may take such action as it thinks fit ; and the Syndicate shall inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action.

CHAPTER XI.

SUPPLEMENTARY PROVISIONS.

Conditions of service. **51.** Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the officer or teacher concerned.

Tribunal of Arbitration.

52. Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Syndicate, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of the matter decided by the Tribunal. Every such request shall be deemed to be submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940, and the X of 1940. provisions of that Act shall apply accordingly.

Pension, Insurance and Provident Fund.

53. The University shall make adequate provisions for the benefit of its officers, teachers and other servants in matters of insurance, pension and provident fund or for other benefits as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

Election to be by distributive vote.

54. Every election to the Senate, the Syndicate and the Academic Council and every recommendation for the nomination to the office of the Vice-Chancellor under this Act shall be made according to the distributive system of voting.

Explanation.—The distributive system of voting means a system of voting in which every voter shall be entitled to give as many votes as there are seats to be filled :

Provided that no voter shall give more than one vote to any one candidate :

Provided further that no voting paper shall be deemed to be valid unless the voter has recorded all the votes which he is entitled to give.

Vacating of office.

55. (*1*) Any member of any authority or body of the University may resign his office by letter addressed to the Registrar.

(*2*) Any member of any authority or body of the University shall cease to be a member on his being convicted by a Court of Law of an offence which involves moral turpitude.

Filling of casual vacancies.

56. When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon as conveniently may be, by the election, nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted, would have held it, if the vacancy had not occurred :

Provided that, if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of such member expires, the vacancy shall not be filled.

Proceedings not invalidated by vacancies.

57. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership.

Disputes as to constitutions of University authority or body.

58. If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or as to whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority or other body of the University, the matter may be referred to the Chancellor and shall be so referred to him if twenty members of the Senate so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question and his decision shall be final.

59. All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of the Act and the Statutes, Ordinances, Regulations and Rules framed thereunder. Protection of acts and orders.

CHAPTER XII.

Transitory Provisions.

60. Notwithstanding anything contained in this Act, or the Statutes, Ordinances and Regulations made thereunder, any student of a college situate within the University area and affiliated to the University of Bombay who immediately before the date on which section 5 came into force was studying or was eligible for any examination of the University of Bombay shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of the University of Bombay. Completion of courses of students in Colleges affiliated to the Bombay University.

61. Notwithstanding anything contained in section 10, the first Vice-Chancellor shall be appointed by the Provincial Government as soon as practicable after the passing of this Act for a period not exceeding two years and on such terms and conditions as the Provincial Government thinks fit. Appointment of first Vice-Chancellor.

62. Notwithstanding anything contained in section 13, the first Registrar shall be appointed by the Provincial Government as soon as practicable after the passing of this Act for a period not exceeding three years and on such conditions as the Provincial Government thinks fit. Appointment of first Registrar.

63. (*1*) It shall be the duty of the first Vice-Chancellor— Transitory powers of first Vice-Chancellor.

(*a*) to give recognition to institutions, if any, as far as possible consistently with the provisions of section 35, and

(*b*) to make arrangements for constituting the Senate, the Syndicate, the Academic Council and other authorities of the University,

within six months after the date of his appointment or such longer period not exceeding one year as the Provincial Government may, by notification in the *Official Gazette*, direct.

(*2*) The first Vice-Chancellor shall with the assistance of the Advisory Committee consisting of not more than fifteen members nominated by the Provincial Government—

(*a*) subject to the provisions of the Act and the approval of the Chancellor,—

(*i*) make provisional Statutes necessary for constituting the aforesaid authorities and regulating the procedure at their meetings and the transaction of their business,

(*ii*) draw up any rules that may be necessary for regulating the method of election to the aforesaid authorities,

(*b*) frame the first Statutes, Ordinances and Regulations under this Act and submit them for confirmation to the respective authorities when they commence to exercise their functions.

(*3*) The authorities constituted under sub-section (*1*) shall commence to exercise their functions on such date or dates as the Provincial Government may, by notification in the *Official Gazette*, direct.

(*4*) The Statutes, Ordinances and Regulations framed by the first Vice-Chancellor shall, when confirmed by the respective authorities, be published in the *Official Gazette*.

First appointment of the officers and teachers of the University.

64. (*1*) At any time after the passing of this Act until such time as the authorities of the University shall commence to exercise their functions—

(*a*) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor,

(*b*) teachers of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Public Instruction and such other person or persons, if any, as the Chancellor thinks fit to associate with them.

(*2*) Any appointment made under sub-section (*1*) shall be for such period not exceeding three years and on such conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made until financial provision has been made therefor.

Extraordinary powers of the first Vice-Chancellor.

65. The Vice-Chancellor appointed under section 61 shall have powers until the Syndicate commences to exercise its functions—

(*a*) with the previous approval of the Chancellor to make additional Statutes to provide for any matter not provided for by the first Statutes,

(*b*) to constitute provisional authorities and bodies and on their recommendations to make rules providing for the conduct of the work of the University,

(*c*) subject to the control of the Provincial Government to make such financial arrangements as may be necessary to enable this Act or any part thereof to be brought into force,

(*d*) with the sanction of the Chancellor to make for a period not exceeding three years such appointments as may be necessary to enable this Act or any part thereof to be brought into force,

(*e*) to appoint any Committee as he may think fit, to discharge such of his functions as he may direct, and

(*f*) generally to exercise all or any of the powers conferred on the Syndicate by or under the provisions of this Act.

Removal by Provincial Government of difficulties at the commencement of the Act.

66. If any difficulty arises as to the first constitution or re-constitution of any authority of the University after the coming into force of this Act or otherwise in first giving effect to the provisions of this Act, the Provincial Government, as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

SCHEDULE.

[See section 2 (*15*).]

1. Ahmedabad District.
2. Kaira District.
3. Panch Mahals District.
4. Broach District.
5. Surat District.
6. Sabar Kantha District.
7. Banas Kantha District.
8. Baroda District excluding the area comprising the limits of the City of Baroda and territories within a radius of ten miles from the office of the Maharaja Sayajirao University of Baroda.
9. Mehsana District.
10. Amreli District.